De la companya de la

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MARK A. WARD,

Plaintiff,

v.

PETER E. MALONEY, Plan
Administrator,

Defendant.

JUDGMENT

OSTEEN, District Judge

For the reasons set forth in the memorandum opinion entered contemporaneously herewith,

IT IS ORDERED AND ADJUDGED that Defendant's Motion for Summary Judgment [53] is GRANTED and Plaintiff's Cross-Motion for Summary Judgment [62] is DENIED.

This the What day of June 2004.

United States District Judge